

Timeline for change

The amended *Strata Titles Act 1985* will take effect in Western Australia on 1 May 2020. It will include grace periods for some new requirements to ensure those affected have adequate time to meet them.

1. Better buyer information

Strata buyers to receive more information about the property they are looking to buy – upfront, before signing a contract of sale.

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
New disclosure obligations are being introduced for sellers of strata titles.	Starting 1 May 2020.	<ul style="list-style-type: none"> • Strata sellers • Prospective strata buyers • Real estate agents

2. More efficient dispute resolution

Strata disputes will have a more cost-effective and efficient dispute resolution forum.

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
State Administrative Tribunal (SAT) to become the 'one-stop-shop' for strata disputes in Western Australia.	Starting 1 May 2020: <ul style="list-style-type: none"> • All new strata disputes to be heard in SAT. • Any existing strata disputes which have already commenced in a court are to continue in that forum. 	<ul style="list-style-type: none"> • Strata owners • Strata tenants • Strata managers • Strata council members

3. A fairer process for scheme termination

Scheme termination relates to the collective sale or redevelopment of strata schemes.

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
Fairer scheme termination process with comprehensive new safeguards for all strata owners.	Starting 1 May 2020: <ul style="list-style-type: none"> • Any new strata scheme termination proposals to comply with the new process. • Any existing strata terminations underway prior to 1 May 2020 to continue as per the unamended Act. 	<ul style="list-style-type: none"> • Strata owners • Property developers

4. Improving strata management and by-laws

Strata schemes will benefit from better by-laws, modernised scheme management, statutory duties for strata managers and in some instances, the introduction of a 10-year maintenance plan and reserve fund.

4.1 - By-laws made clearer and fairer

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
<p>Changes to by-laws aim to improve scheme management, minimise disputes and make living in strata fairer. They also set out a need for scheme by-laws to be consolidated, under certain circumstances.</p>	<p>Starting 1 May 2020.</p>	<ul style="list-style-type: none"> • Strata owners • Strata tenants • Strata companies

4.2 – Introduction of 10-year maintenance plan and reserve fund

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
<p>Strata schemes with 10 lots or more are required to have a 10-year maintenance plan and reserve fund. This is also required from schemes with a \$5 million replacement cost for building/s or improvements on the common property.</p>	<p>By 1 May 2021 or after. The 10-year plan must be submitted at the first annual general meeting that is one full year after commencement.</p>	<p>Strata companies</p>

4.3 – Modernising how schemes are being run

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
<p>The running of strata schemes will better reflect modern strata management needs. For example, electronic options are being introduced for scheme communications, voting and meeting attendance.</p>	<p>Starting 1 May 2020.</p>	<p>Strata owners</p>

4.4 - Changes to the role of strata managers

✓ What's new?	📅 Timeline for change	👤 Who needs to know?
<p>There will be clear statutory duties for strata managers which require them to:</p> <ul style="list-style-type: none"> • act honestly, with reasonable skill and care • have a good knowledge of the Act • not improperly use information or their position • inform the strata company of any conflict of interest as soon as practical • disclose any benefit/remuneration that's more than \$100 from one source in a year. 	<p>Starting 1 May 2020.</p>	<ul style="list-style-type: none"> • Strata managers – volunteer and paid • Strata companies • Strata councils

Strata managers will also need to:

a) Attain educational qualifications .	By 1 May 2024. (Four years after commencement).
b) Have a written contract between them and the strata company, specifying the functions they are contracted to perform.	Starting 1 May 2020 , all new contracts must meet the new requirements. There is a six-month grace period for existing contracts to reflect the new requirements (to 1 November 2020).
c) Obtain a current national criminal record check for themselves and employees who perform strata management functions.	Starting 1 May 2020 for all new contracts. There is a six-month grace period for existing contracts (to 1 November 2020).
d) Have professional indemnity insurance coverage.	Starting 1 May 2020 for all new contracts. There is a six-month grace period for existing contracts (to 1 November 2020).
e) Lodge an annual return to Landgate with general information about the schemes they manage. This annual return will enable the government to determine if the licensing of strata managers is viable or required in the future.	The first annual return will need to be lodged with Landgate between 1 January 2022 and 31 March 2022 , and then annually after that for the next four years.

5. Introducing leasehold strata

Leasehold is a new form of land ownership in WA that will become available, starting 1 May 2020.

What's new?	Timeline for change	Who needs to know?
A leasehold strata title is a built strata or survey-strata scheme with a fixed term of between 20 and 99 years.	Starting 1 May 2020 - plans for leasehold strata can be lodged at Landgate. (After approval for those plans has been received by the Western Australian Planning Commission).	<ul style="list-style-type: none"> Property developers Potentially land owners with land they cannot sell (for example, churches and universities)

6. More flexible staged subdivision

There will be more flexibility for the staged development of strata and survey-strata schemes.

What's new?	Timeline for change	Who needs to know?
It will be clear when the consent of owners is required to change the way a scheme is being developed.	Starting 1 May 2020 – any new staged developments of strata and survey-strata schemes to follow requirements of the amended Act.	<ul style="list-style-type: none"> Property developers Strata owners